

**ReVive SurgiCenter**  
**1347 E. Sample Road, Suite 102**

**City of  
Pompano Beach**

**Zoning Board of Appeals - December 14, 2023**



# Aerial Location Map

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- Dane C. Pohlman, D.O., owns and operates Pohlman Pain Associates, an interventional pain medicine, physical medicine & rehabilitation clinic, with existing office locations in Coral Springs and Delray Beach
- Applicant is looking to expand the medical office practice to the existing building located at the property, which is a permitted use
- Plans to add an ambulatory surgical center to a portion of the existing building, approximately +/- 3,764 square feet of the space
- Will provide quick and efficient access to minimally invasive outpatient procedures to treat a variety of orthopedic and nerve conditions
- Low-volume facility, necessitated in part by insurance and ACHA requirements
- To Applicant's knowledge, there is not a similar facility in Pompano Beach or the surrounding area

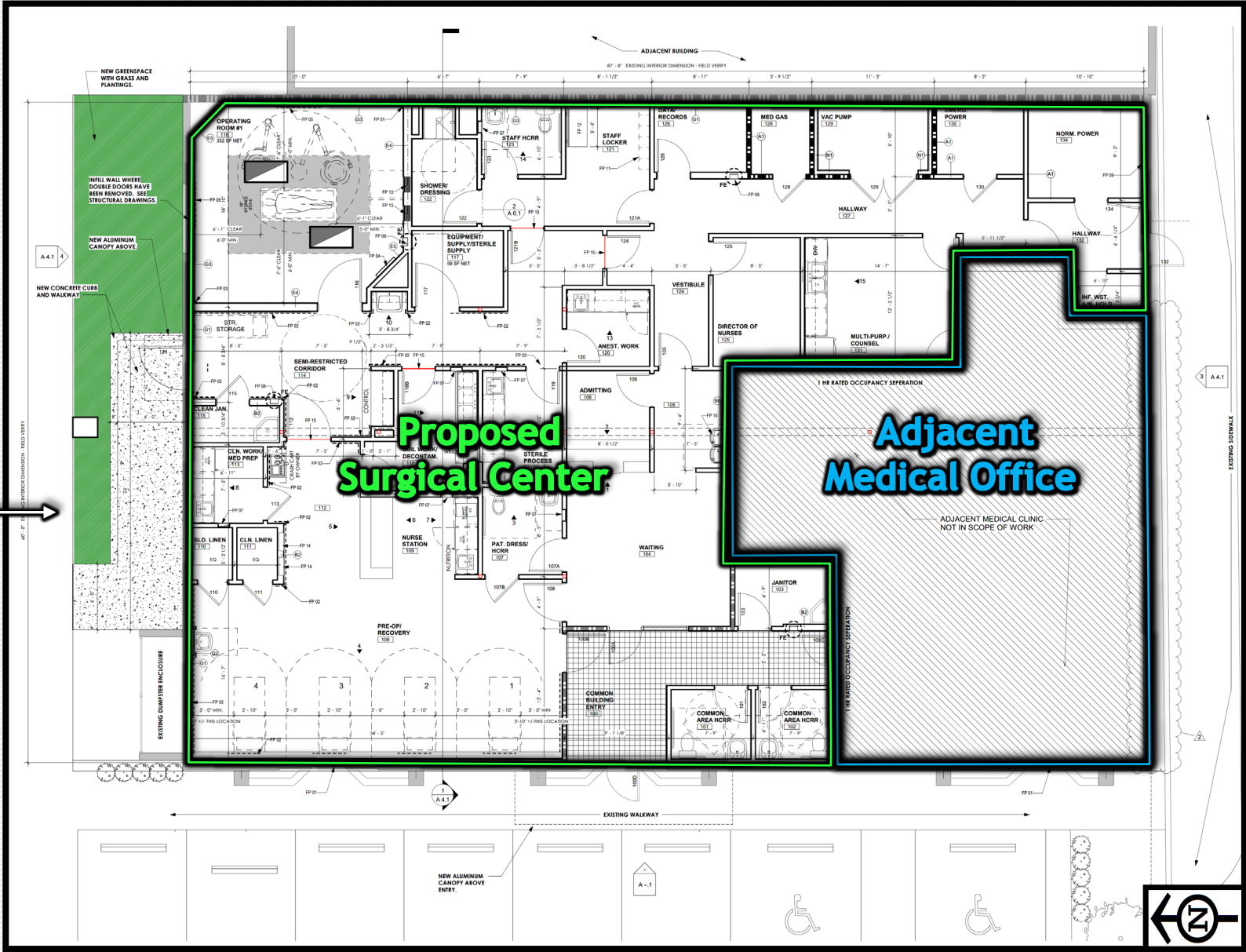
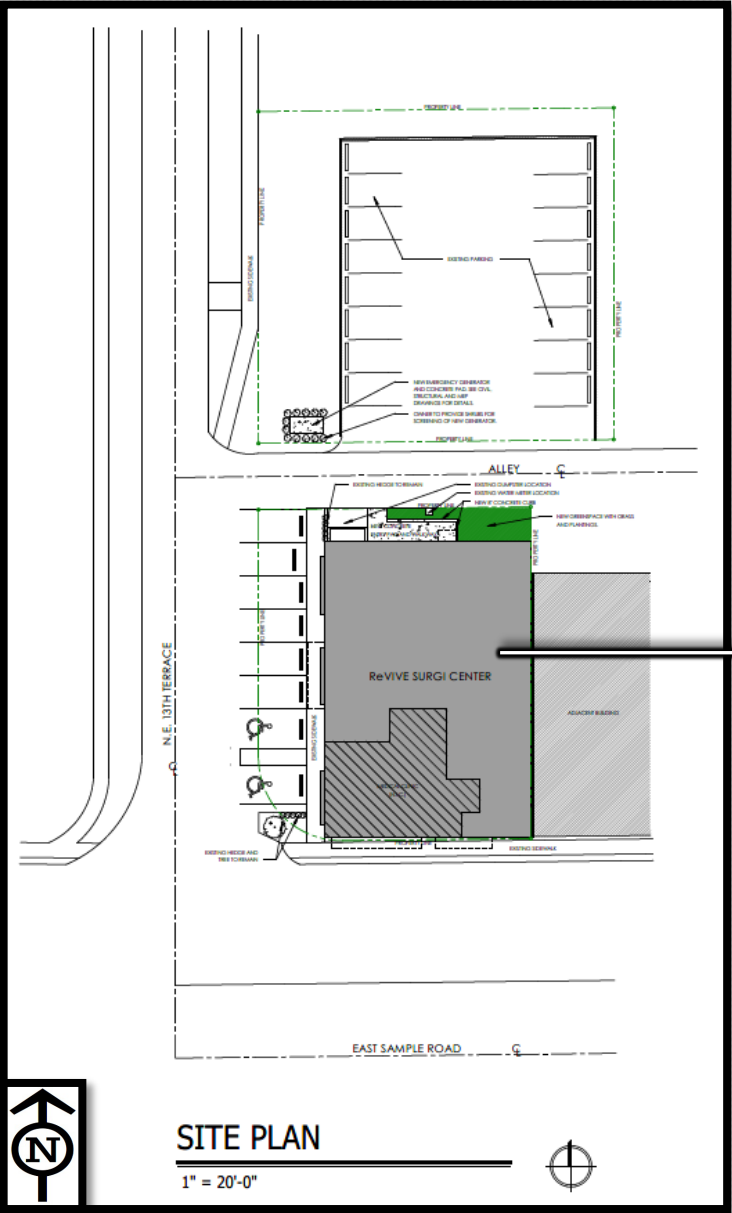
- Ambulatory surgical center is classified as a “specialty medical facility” per the City’s Code
- Requesting special exception approval to allow the ambulatory surgical center use within the existing building on the property

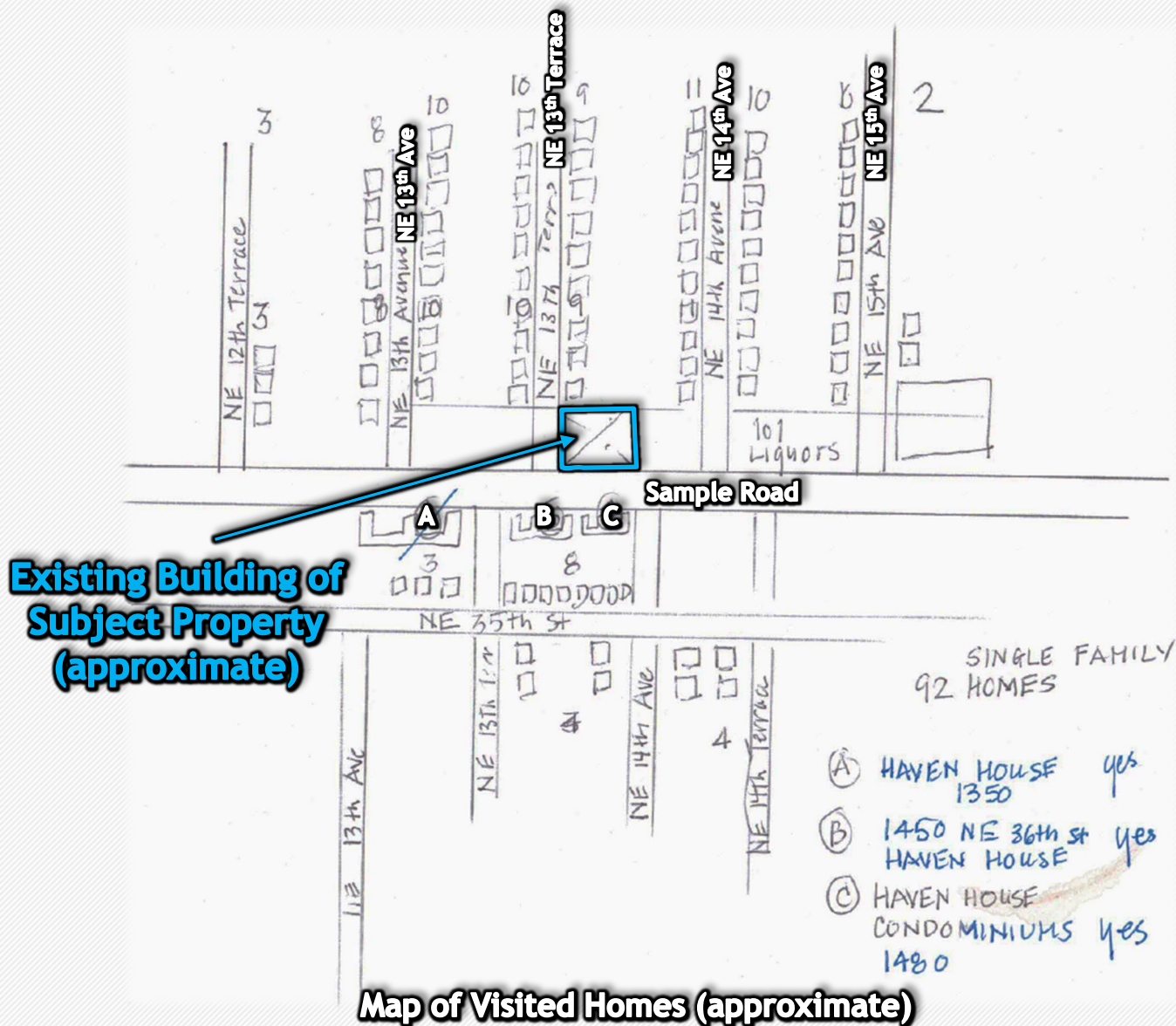


Street Level View - May 2022 - Google Maps



# Site and Floor Plan










| Responses       |                   |            |
|-----------------|-------------------|------------|
| NE 13TH TERRACE |                   |            |
| 3630            | NO                | N/A        |
| 3641            | NO                | N/A        |
| 3661            | NO                | N/A        |
| 3660            | N/A               |            |
| ✓ 3701          | YES               |            |
| 3690            | Come back Carolyn |            |
| 3765            | NO                |            |
| ✓ 3708          | YES               |            |
| 3709            | N/A               |            |
| ✓ 3700          | YES - Jordan      |            |
| 3711            | Come back         |            |
| 3721            | N/A               |            |
| 3720            | N/A               |            |
| 3730            | For Sam           |            |
| 3731            | N/A               |            |
| ✓ 3761          | YES               |            |
| 3781            | N/A               |            |
| 3740            | N/A               |            |
| 3750            | 1                 |            |
| ✓ 3760          | YES               |            |
| ✓ 3770          | YES               |            |
| NE 14TH AVE     |                   |            |
| 3810            | NO                | 3791 N/A   |
| 3800            | N/A               | 3761 N/A   |
| 3782            | YES               | 3731 N/A   |
| ✓ 3780          | YES               | ✓ 3721 YES |
| 3740            | N/A               | ✓ 3701 YES |
| 3730            | N/A               | 3681 N/A   |
| 3720            | N/A               | 3661 N/A   |
| ✓ 3710          | YES               | 3601 N/A   |
| ✓ 3700          | YES               | ✓ 3651 YES |
| 3690            | N/A               | ✓ 3682 YES |
| 3680            | N/A               | 3671       |
| 3660            | N/A               | 3641 N/A   |
| 3640            | N/A               | 3631 N/A   |
| ✓ 3620          | YES               | 3621 YES   |
| 3610            | N/A               |            |
| NE 15TH AVE     |                   |            |
| 3611            | N/A               | 3781 N/A   |
| ✓ 3641          | YES               |            |
| ✓ 3661          | YES               | 3720 N/A   |
| 3675            | (email)           | ✓ 3712 YES |
| ✓ 3691          | YES               | ✓ 3690 YES |
| ✓ 3701          | YES               |            |
| 3731            | NO - quest        |            |
| ✓ 3761          | YES               |            |
| 3771            | N/A               |            |






Per Section 155.2406(D) of the City Code, Applicant must demonstrate that the proposed use is in compliance with the following criteria for Special Exception approval:

- Is consistent with the comprehensive plan; 
- Complies with all applicable zoning district standards; 
- Complies with all applicable use-specific standards in Article 4: Use Standards; 
- Avoids overburdening the available capacity of existing public facilities and services, including, but not limited to, streets and other transportation facilities, schools, potable water facilities, sewage disposal, stormwater management, and police and fire protection; 
- Is appropriate for its location and is compatible with the general character of neighboring lands and the uses permitted in the zoning district(s) of neighboring lands. Evidence for this standard shall include, but not be limited to, population density, intensity, character of activity, traffic and parking conditions and the number of similar uses or special exception uses in the neighborhood; 

- Avoids significant adverse odor, noise, glare, and vibration impacts on surrounding lands regarding refuse collection, service delivery, parking and loading, signs, lighting, and other site elements; ✓
- Adequately screens, buffers, or otherwise minimizes adverse visual impacts on neighboring lands; ✓
- Avoids significant deterioration of water and air resources, scenic resources, and other natural resources; ✓
- Maintains safe and convenient ingress and egress and traffic flow onto and through the site by vehicles and pedestrians, and safe road conditions around the site and neighborhood; ✓
- Allows for the protection of property values and the ability of neighboring lands to develop uses permitted in the zoning district; ✓



- Fulfills a demonstrated need for the public convenience and service of the population of the neighborhood for the special exception use with consideration given to the present availability of such uses; 
- Complies with all other relevant city, state and federal laws and regulations; and 
- For purposes of determining impacts on neighboring properties and/or the neighborhood, the terms neighboring properties and neighborhood shall include the area affected by the requested special exception, which is typically an area of 500 feet to a one-half mile radius from the subject site. 

Per City Code, a specialty medical facility shall comply with the following standards:

- a) Separation from Residential Uses. The facility shall be at least 500 feet from a Single Family (RS) or Two-Family (RD) Zoning District. \***
- b) Overnight Treatment. Overnight treatment is prohibited. ✓**
- c) Hours of Operations. The facility shall not offer treatment or similar services between the hours of 10:00 p.m. and 7:00 a.m. ✓**



# Questions?

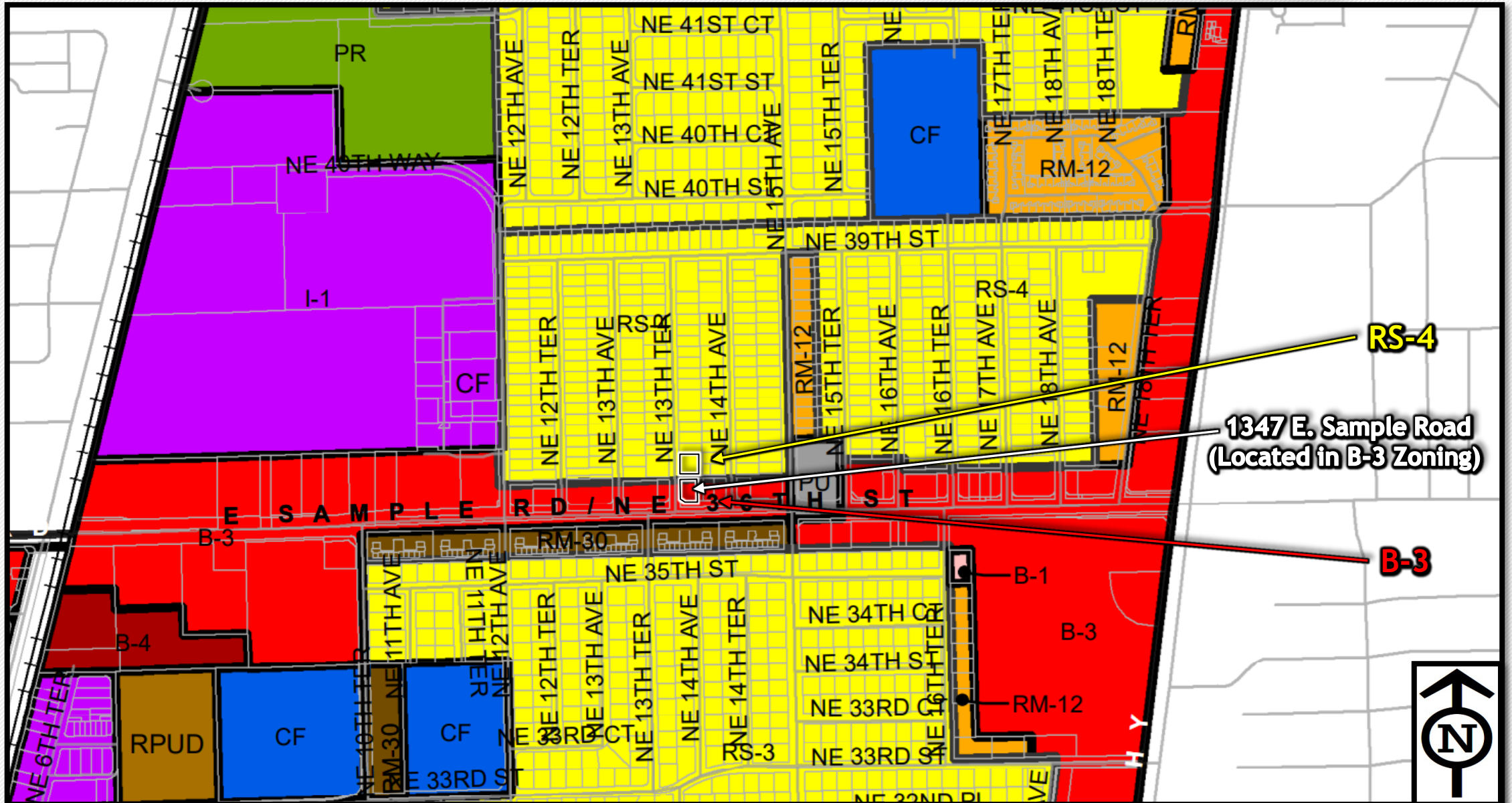
# Variance Application



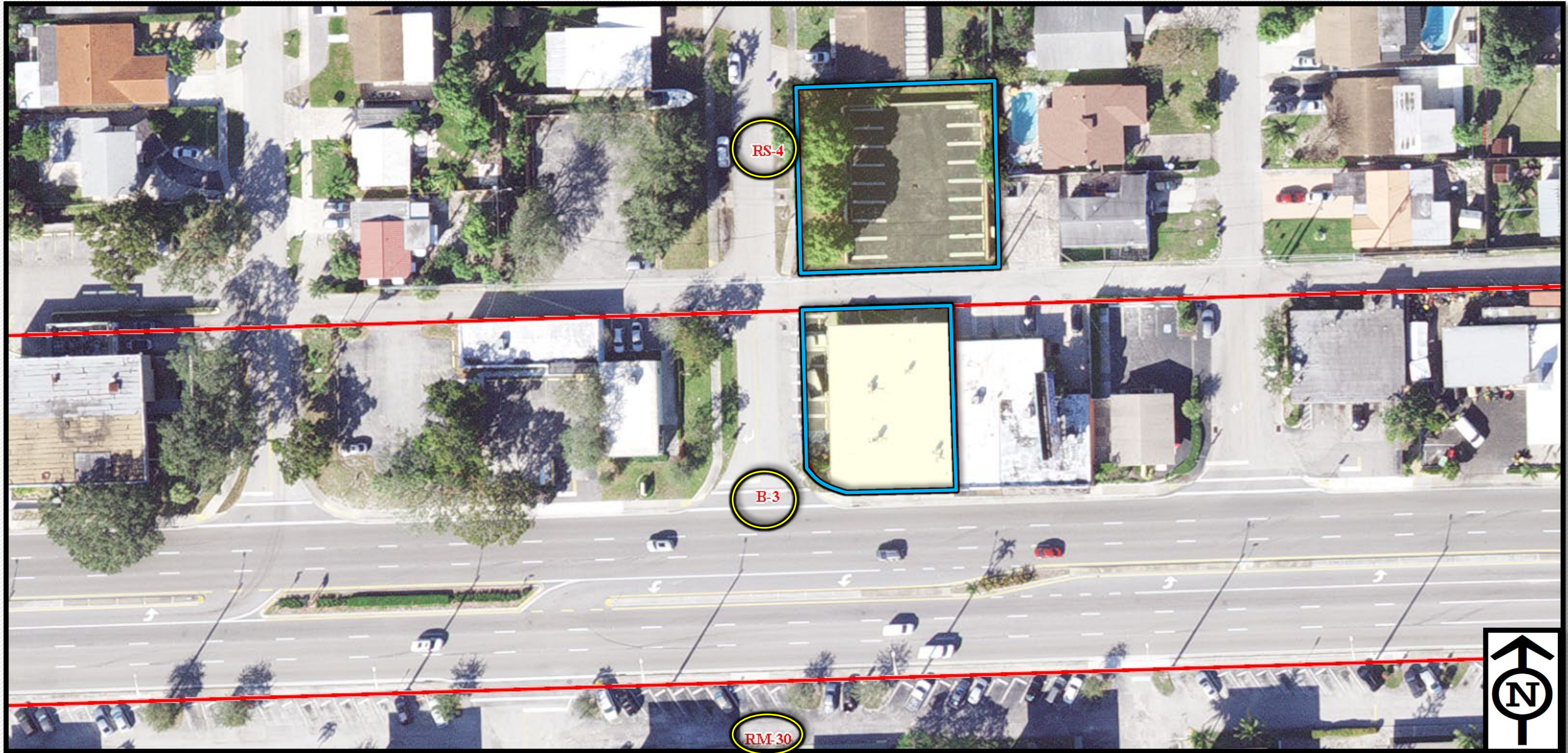
- Requesting variance approval to allow a specialty medical facility to be located 0' from residential zoning where 500' is required

# Zoning Map

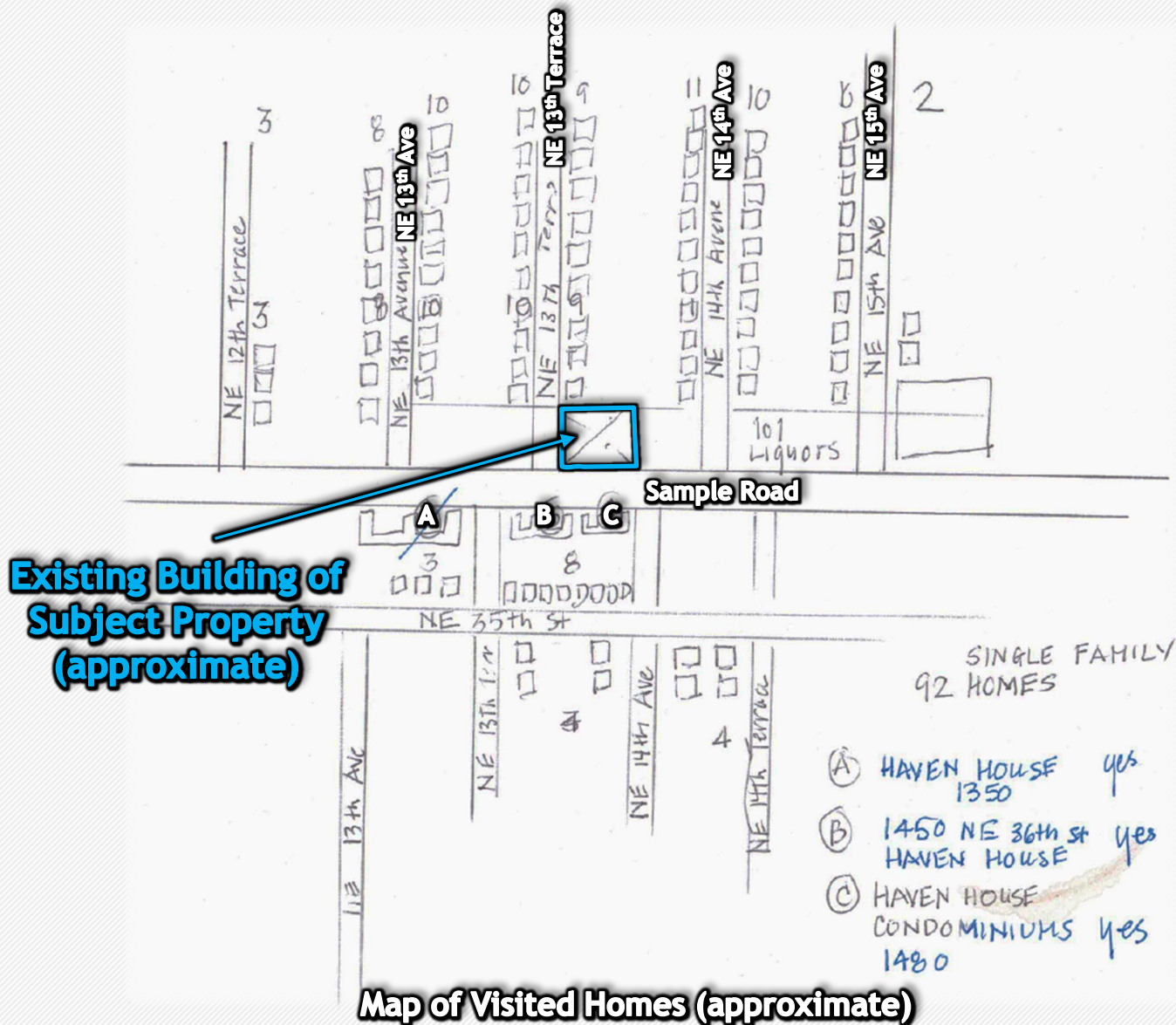
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| Responses              |                 |            |
|------------------------|-----------------|------------|
| NE 13TH TERRACE        |                 |            |
| 3630 NO N/A            | NE 14TH AVE     |            |
| 3641 NO N/A            | 3810 NO         | 3793 N/A   |
| 3661 NO N/A            | 3800 N/A        | 3761 N/A   |
| 3660 N/A               | 3782 YES        | 3731 N/A   |
| ✓ 3701-YES             | ✓ 3780 YES      | ✓ 3721 YES |
| 3690 Come back Carolyn | 3740 NO N/A     | ✓ 3701 YES |
| 3765 NO                | 3730 N/A        | 3681 N/A   |
| ✓ 3708 YES             | 3720 N/A        | 3661 N/A   |
| 3709 N/A               | ✓ 3710 YES      | 3601 N/A   |
| ✓ 3700 - YES - Jordan  | ✓ 3700 YES      | ✓ 3651 YES |
| 3711 - Come back       | 3690 N/A        | ✓ 3682 YES |
| 3721 - N/A             | 3680 N/A        | 3651       |
| 3720 N/A               | 3660 N/A        | 3651 N/A   |
| 3730 For Sam           | 3640 N/A        | 3631 N/A   |
| 3731 N/A               | ✓ 3620 YES      | 3621 YES   |
| ✓ 3701 YES             | 3610 N/A        |            |
| 3781 N/A               | NE 15TH AVE ↓   |            |
| 3740 N/A               | 3611 N/A        | 3781 N/A   |
| 3750 1                 | ✓ 3641 YES      |            |
| ✓ 3760 YES             | ✓ 3661 YES      | 3720 N/A   |
| ✓ 3770 YES             | 3675 (email)    | ✓ 3712 YES |
| NE 13TH ST             | ✓ 3691 YES      | ✓ 3690 YES |
| N/A = NOT HOME         |                 |            |
|                        | ✓ 3701 YES      |            |
|                        | 3731 NO - quest |            |
|                        | ✓ 3761 YES      |            |
|                        | 3771 N/A        |            |



- a) There are extraordinary and exceptional conditions (such as topographic conditions, narrowness, shallowness, or the shape of the parcel of land) pertaining to the particular land or structure for which the Variance is sought, that do not generally apply to other lands or structures in the vicinity;
- *The portion of the property with the existing building is exceptionally shallow and narrow for a commercial parcel in a B-3 zoning district (approx. 100' deep and 80' wide)*
  - *Area zoned B-3 where the existing building is located is exceptionally thin, allowing for B-3 uses for a 100' sliver of land before the zoning changes to residential (RS-4) behind the lot*

b) The extraordinary and exceptional conditions referred to in paragraph a., above, are not the result of the actions of the landowner;

- *Building on the property is existing in its present location, its geometry, and its future land use and zoning categories*
- *Development configuration is an existing, nonconforming arrangement, rendering most of the lots smaller than code requires for commercial development*



- c) Because of the extraordinary and exceptional conditions referred to in paragraph a., above, the application of this Code to the land or structure for which the Variance is sought would effectively prohibit or unreasonably restrict the utilization of the land or structure and result in unnecessary and undue hardship;
- *Lack of depth for the lot and zoning configuration with residential zoning behind the building renders it impossible to provide the 500' buffer for this type of use*
  - *Proposed use is not adjacent to any residences*

- d) The Variance would not confer any special privilege on the landowner that is denied to other lands or structures that are similarly situated;
- *Approval of the variance and associated special exception will allow the Applicant to operate an ambulatory surgical center within the existing building, which is a permitted special exception use within the B-3 zoning district*
  - *Business operations and minimal impact of the proposed use would be consistent with the other businesses along Sample Road that are also adjacent to the RS-4 zoning district*



- e) The extent of the Variance is the minimum necessary to allow a reasonable use of the land or structure;
- *Requested variance is the minimum necessary for the proposed ambulatory surgical center use on the Property*
  - *Is consistent with the other standards for a specialty medical facility relative to there being no overnight treatment and the hours of operation*

- f) The Variance is in harmony with the general purpose and intent of this Code and preserves its spirit;
- *City's standards intended to limit hours of operation and potential impacts nearby residential uses*
    - *No overnight treatment at proposed ambulatory surgical center, consistent with the City's standards*
    - *Hours of operation are Monday through Friday, 8:00 a.m. to 5:00 p.m., consistent with the City's standards*
    - *Proposed facility would have minimal impact, and existing building is not adjacent to residential uses*

g) The Variance would not adversely affect the health or safety of persons residing or working in the neighborhood, be injurious to property or improvements in the neighborhood, or otherwise be detrimental to the public welfare;

- *Not adversely impacting on health or safety*
- *Not injurious to property or improvements in neighborhood*
- *Will provide community with efficient access to minimally invasive outpatient procedures to treat a variety of orthopedic conditions*



- h) The Variance is consistent with the comprehensive plan.

***Future Land Use Element Policy 01.01.12***

*The City's Future Land Use Map will be in conformance with the County's Land Use Plan and will implement the County's regional vision including provision of essential public services and facilities, enhanced sustainability and livability and give priority to protecting public beach access sites.*

***Future Land Use Element Policy 01.04.03***

*Except for schools, regional and community facilities shall be located close to major traffic corridors and mass transit routes adequate to carry the volume of traffic generated by such facilities.*

- Proposed ambulatory surgical center would not increase traffic*
- Approval of the proposed variance and associated special exception application would improve these policies by providing essential medical services in the area which is located along a major traffic corridor*

# Questions?



